

STATE OF GEORGIA
RECORDS RETENTION SCHEDULE APPLICATION

Sheet: 1 of 2
Schedule #: 99-0026-02
Effective Date: March 10, 2000

(Agency use)

(Archives use)

Date: March 7, 2000

Date Received: March 7, 2000

Control No.: N/A

Agency Code: 0478-011

Control No.: 20000307-01

Applicant: Georgia Real Estate Commission/Appraisers Board

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Atlanta, Georgia 30303

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Creating Office: Georgia Real Estate Commission /Appraisers Board

Address: 229 Peachtree Street, Suite 1000
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Administrator: Charles Clark
Commissioner

Phone: 404-656-3916
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Application Type: Amend: X

Class: Individual

Series Title: Closed Investigation Files (Real Estate)

Dates of Series: FY94 - Ongoing

Access: Confidential (O.C.G.A. §43-40-27(d))

Function Documented: The Real Estate Commission regulates the issuance and re-issuance of licenses to real estate brokers, associate brokers and salespersons. It initiates investigations and audits on its own motion or upon sworn written request from the public; reviews misconduct; investigates alleged violations of state law or commission regulations; and takes disciplinary action against a variety of improper procedures or unfair trade practices. In addition to reporting violations to the attorney general for action to enjoin such practices, the Commission after a formal hearing, may sanction the license of a licensee or company by issuing an order to suspend, revoke, reprimand, fine, complete educational requirements, deny issuance of a license or a combination.

The Investigative Section investigates all sworn requests for investigations received and conducts routine office examinations for possible violations of the license law. Each case is disposed either by letter of notification from the Commission or through a hearing authorized by the Attorney General's office. An Investigative case which is closed due to a finding of no violation or insufficient evidence becomes a "closed investigative file". Each case that results in a sanction of a license becomes a "closed hearing file".

O.C.G.A. 43-40-1, 43-40-3, 43-40-6, 43-40-15, 43-40-25. The 1999 Georgia General Assembly authorized the Commission to adopt a paper management program for paper documents. As there are no duplicates of the closed investigative files, Substantive Regulation 520-1-.09(8) was adopted providing that closed investigative files would be held for fifteen (15) years.

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Consists of: Consists of documents relating to resolving complaints by conducting investigation in connection with individuals or firms licensed by the Real Estate Commission. Included are summary of files; requests for investigation forms; statement/affidavits from complainants, respondents and witnesses; copy of contracts, closing statements, deeds; photographs relating to subject's real estate transaction; bank statements/checks of firm's escrow account; computer printout of firm's/licensee's history; computer index (gives only name of firm and case name).

Closed Office Examination Files, which were maintained separately until the end of FY98, will now be maintained in this series, or in the Closed Hearing Files series, whichever is applicable.

Media: Paper (8 1/2 X 11 and 8 1/2 X 14)

Arrangement: Numerical by case number

Indexed by: Computer-indexed by case number and/or by last name of respondent

Retention Requirement:

State Law or Regulation: Fifteen (15) years (Ga. Regulation 520-1-.09(8))

Federal Law or Regulation:

Audit Period:

Administrative Need: Fifteen (15) years

Cut Off Event: At end of fiscal year

Total Retention: Fifteen (15) years

The above retention period is consistent with the requirements of the Georgia Records Act (O.C.G.A. 50-18-90 et seq.). We submit this retention schedule to the State Records Committee with the recommendation that it be approved for the named record series.

Authorized by:


Charles Clark, Real Estate Commissioner

 3-9-00
Date

Submitted by:


Jenny Tidwell, Records Management Officer

 9 March 2000
Date

The State Records Committee approves this recommended retention period for the named records series by the named creating office.

Signed:


Edward Weldon, Secretary of State Designee

 3/28/00
Date

STATE OF GEORGIA
STORAGE REFERENCE AND DISPOSITION PLAN
RESOURCE IMPACT PROJECTION

Sheet: 1 of 1

Authorizing Schedule #: 99-0026-02

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Date Received: March 7, 2000

Control No.: N/A

Agency Code: 0478-011

Control No.: 20000307-01

Series Title: Closed Investigation Files (Real Estate)

Current
Accumulation: Ten (10) legal size file drawers

Annual
Accumulation: Twelve (12) legal size file drawers

Reference
Activity: three to five (3-5) times per year

Series
Inventory: By case number

Storage
Containers: Standard corrugated box 15 x 11-7/8 x 9-5/8

Special Storage
Conditions: Confidential (O.C.G.A. § 43-40-27(d))

Proposed Disposition Instructions:

Cutoff records of series: At end of Fiscal Year

Maintain in the office for: One (1) year

Transfer to: State Records Center

Hold: Fourteen (14) years

Then: Destroy

The information provided above about the records is true and accurate. The proposed disposition instructions will efficiently protect the rights and interests of the creating agency, the State of Georgia, and the public.

Signed: Charles Clark
Charles Clark, Commissioner

3-9-00
Date

Submitted by: Jenny Tidwell
Jenny Tidwell, Records Management Officer

9 March 2000
Date

The Office of Secretary of State, Department of Archives and History agrees to provide storage and reference services for these records in accordance with this Storage and Disposition Plan. Changes in media, rate of accumulation, reference activity or required storage conditions may require renegotiation of the agreement.

Accepted by: Edward Weldon
Edward Weldon, Secretary of State Designee

3/28/00
Date

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